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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/346,361	07/01/1999	ERLEND OLSON	41367-200030	2315

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EXAMINER

MOTTOLA, STEVEN J

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY

Office Action Summary	Application No. 346361	Applicant(s) Olson et al.	
	Examiner Mottola	Group Art Unit 2817	

- The "V.A. REG ID" # of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL. YOUR RESPONSE IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of the communication.

Response time: If the period for reply is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.

Notwithstanding the foregoing, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.

... If the extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

any time more than three months after the mailing date of this communication, even if timely, may reduce any earned patent term (under 35 USC 102(b)).

SECRET

US Department of Communication(s) filed on September 16, 2002

1. The Commission is of the opinion that the Commission should be authorized to conduct a study of the problem of the distribution of the population of the United States.

It is the duty of the court to allow a condition for allowance except for formal matters, **prosecution as to the merits is closed in**
 accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

of Claim(s) 2-6, 11-39 is/are pending in the application.

Of the above request _____ is/are withdrawn from consideration.

14-25 828-39 is/are allowed.

Case(s) 4-6, 11-13, 26-27 is/are rejected.

1. Name(s) _____ is/are objected to.

2. Class(es) _____ are subject to restriction or section requirement

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☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

1) The Candidate's filed on _____ is/are objected to by the Examiner

6. The application is dictated to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

1. This order is U.S.G. § 112 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

☐ All ☐ Some* ☐ None of the:

☐ Car Red copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. _____

☐ Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

400 340 280 220 160 100 50 0

(2) Information Check: see Step 5. ent(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

Notice of Publication Filed: PTO-892

☐ Notice of Informal Patent Application, PTO-152

L. Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other _____

Office Action Summary

Art Unit: 2817

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4-6, 11-13 and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Adrian et al.

The relevance of the reference to these claims has been explained in prior Office actions. The arguments against both rejections were presented together and will be addressed together below.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

Art Unit:

made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

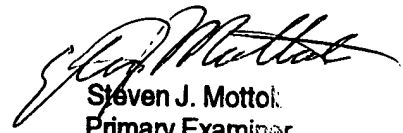
Claims 4-6, 11-13 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howatt.

The relevance of this reference has likewise been explained previously. In regard to the arguments presented against both rejections, the claims do not specify that the H-bridge controller receives a two state signal and generates a three state output as a function of the difference between the two states; rather, only that the H-bridge outputs three states. This is disclosed in the prior art of record as has been previously explained.

Claims 14-25 and 28-39 are allowed for reasons already given.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Steven J. Mottok
Primary Examiner
703-308-4814